

REMARKS

Reconsideration of the restriction requirement in the above referenced application is respectfully requested.

35 U.S.C. § 121

Restriction has been required under 35 U.S.C. § 121 to Group I, claims 1-16 and 18-21, drawn to a method for ammonia-mediated reduction of nitrogen oxides, classified in class 423, subclass 239.1; and Group II, claims 17 and 22-24 drawn to a catalyst composition for ammonia-mediated reduction of nitrogen oxides, classified in class 502, subclass 64.

As indicated above, Applicants hereby affirm the provisional election made with traverse to prosecute the invention of Group I, claims 1-16 and 18-21.

Reconsideration of the restriction of Group II claims is respectfully requested for the reasons that follow.

In making the restriction requirement, it is asserted that the inventions are related to each other as product and process of use. It is indicated that the inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using the product (MPEP § 806.05(h)). In particular, it is asserted that the product as claimed can be used to practice another materially different process of use such as catalytic hydrogenation, hazardous waste destruction, or reformation with or without a zeolite. It is also asserted that the process could be practiced with a materially different product, such as a catalyst comprising zeolite impregnated with rare earth metal oxides.

The restriction required is made based on the assertion that the inventions are distinct and have acquired a separate status as shown by their different classifications, and the search required for Group II is not required for Group I.

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Group I claims 1-16 and 18-21 are directed to methods for treating for ammonia-mediated reduction of nitrogen oxides. Claim 1 uses a catalyst which comprises a zeolite component. Claim 18 uses one catalyst to reduce  $N_2O$  and another which is selective to reduce  $NO_x$ .

Group II claims 25-53 are directed to catalysts used in the methods of various of the Group I claims.

35 U.S.C. § 1.121 requires restriction where, two or more independent and distinct inventions are claimed. The two Groups may be distinct but are not independent with regard to the common elements recited above. Reference is made to the above recitation of corresponding elements in the claims for each of Group I and Group II.

For the above reasons, reconsideration and withdrawal of the restriction requirement is respectfully requested.

Applicants have fully responded to the Office Action and examination of at least Group I, claims 1-16 and 18-21 is believed to be in order and is respectfully requested.

Respectfully submitted,



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